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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 ELIZABETH REYES-DELACERDA,
12 a/k/a Chavela,

13 Defendant.

3:18-CR-057-MMD-WGC

Preliminary Order of Forfeiture
(Corrected Document)

14 This Court finds Elizabeth Reyes-Delacerda, a/k/a Chavela, pled guilty to Count
15 One of a One-Count Superseding Information charging her with illegal use of a
16 communication device in violation of 21 U.S.C. § 843(b). Superseding Information, ECF
17 No. 497; Plea Agreement, ECF No. 499; Arraignment & Plea, ECF No. 507.

18 This Court finds Elizabeth Reyes-Delacerda, a/k/a Chavela, agreed to the forfeiture
19 of the property set forth in the Plea Agreement and the Forfeiture Allegation of the
20 Superseding Information. Superseding Information, ECF No. 497; Plea Agreement, ECF
21 No. 499; Arraignment & Plea, ECF No. 507.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States
23 of America has shown the requisite nexus between property set forth in the Plea Agreement
24 and the Forfeiture Allegation of the Superseding Information and the offense to which
25 Elizabeth Reyes-Delacerda, a/k/a Chavela, pled guilty.

26 The following property is (1) any property, real or personal, which constitutes or is
27 derived from proceeds traceable to a violation of 21 U.S.C. § 843(b), a specified unlawful
28 activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(D), or a conspiracy to commit

1 such offense; (2) any property constituting, or derived from, any proceeds obtained, directly
2 or indirectly, as the result of a violation of 21 U.S.C. § 843(b); (3) any property used, or
3 intended to be used, in any manner or part, to commit, or to facilitate the commission of a
4 violation of 21 U.S.C. § 843(b); and (4) all moneys, negotiable instruments, securities, or
5 other things of value furnished or intended to be furnished in exchange for a controlled
6 substance or listed chemical in violation of 21 U.S.C. § 843(b), all proceeds traceable to such
7 an exchange, and all moneys, negotiable instruments, and securities used or intended to be
8 used to facilitate any violation of 21 U.S.C. § 843(b), and is subject to forfeiture pursuant to
9 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1); 21 U.S.C. §
10 853(a)(2); 21 U.S.C. § 881(a)(6) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(p):

- 11 1. \$1,000.00 in US Currency seized from Alberto Acosta-Macias at 3503 Postre Ct.;
- 12 2. \$213.00 in US Currency seized from Jose Mora at 460 E. Grove St.;
- 13 3. \$607.00 in US Currency seized from Shawn Curl at 4986 S. Virginia St.;
- 14 4. \$996.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.;
- 15 5. \$2,750.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.;
- 16 6. \$16,021.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.; and
- 17 7. \$3,785.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.

18 (all of which constitutes property).

19 This Court finds that the United States of America may amend this order at any time
20 to add subsequently located property or substitute property to the forfeiture order pursuant
21 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

22 This Court finds the United States of America is now entitled to, and should, reduce
23 the aforementioned property to the possession of the United States of America.

24 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
25 DECREED that the United States of America should seize the aforementioned property.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
27 rights, ownership rights, and all rights, titles, and interests of Elizabeth Reyes-Delacerda,
28 a/k/a Chavela, in the aforementioned property are forfeited and are vested in the United

1 States of America and shall be safely held by the United States of America until further
2 order of the Court.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
4 of America shall publish for at least thirty (30) consecutive days on the official internet
5 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
6 describe the forfeited property, state the time under the applicable statute when a petition
7 contesting the forfeiture must be filed, and state the name and contact information for the
8 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
9 and 21 U.S.C. § 853(n)(2).

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
11 or entity who claims an interest in the aforementioned property must file a petition for a
12 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
13 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
14 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
15 right, title, or interest in the forfeited property and any additional facts supporting the
16 petitioner's petition and the relief sought.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
18 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
19 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty
20 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
21 after the first day of the publication on the official internet government forfeiture site,
22 www.forfeiture.gov.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
24 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
25 Attorney's Office at the following address at the time of filing:

26 Daniel D. Hollingsworth
27 Assistant United States Attorney
28 James A. Blum
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

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2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
3 described herein need not be published in the event a Declaration of Forfeiture is issued by
4 the appropriate agency following publication of notice of seizure and intent to
5 administratively forfeit the above-described property.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
7 copies of this Order to all counsel of record.

8 DATED January 9, 2020, 2020.

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12 HONORABLE MIRANDA M. DU
13 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

A copy of the foregoing was served upon counsel of record via Electronic Filing on
January 9, 2020.

/s/ Andolyn Johnson
ANDOLYN JOHNSON
Assistant United States Attorney